SINGLE BENCH (2)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR
(CHHATTISGARH)

WRIT PETITION NO. 1450 OF 2005

PETITIONER : Orissa Concrete & Allied Ind Ltd, (Unit II) Industrial Area, Bhanpuri, PO Birgaon, Raipur (Chhattisgarh), through – Its, Director Navin Agrawal, aged about 35 years, son of C.B. Agrawal

P.R. No. 1448/05
Presented by Shri Vinod Lalpuri
dated 05-04-05

VERSUS

RESPONDENTS

1. Coal India Limited, Through: Its Chairman, 10, Netaji Subhash Road, Kolkata, (West Bengal).

2. Chairman cum Managing Director, South Eastern Coal Field Limited, 10 Seepat Road, Bilaspur, Tahsil and District Bilaspur (C.G.).

3. The General Manager (Sales), 10 Seepat Road, Bilaspur, Tahsil and District Bilaspur (C.G.).

4. State of Chhattisgarh, through – Secretary, Ministry of Industrial Development, D.K.S. Bhawan, Raipur (Chhattisgarh)

5. Union of India, through – Secretary, Ministry of Industrial Development, New Delhi.

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VIJAY SINGH
Solicitor General of India
CHHATTISGARH HIGH COURT
Court Campus, Bilaspur (C.G.)

(3)

(2)

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

306

आदेश पत्रक

मामला क्रमांक W.P. 1450 **सन्** 2005

..... **विरुद्ध** .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

13.04.2005: -

Shri Y.C.Sharma, learned counsel for the petitioner.
Shri V.Deshmukh, learned counsel for respondents 1 to 3.
Shri Pankaj Shrivastava, learned P.L. for the State/respondent 4.
Shri Thakur Vijay Singh, learned Sr. Standing Counsel for Union of India/respondent No. 5.

The petitioner has filed the instant petition against the action of the respondents whereby the respondents 1 to 3 have suddenly stopped the supply of coal to the petitioner without any notice resulting in stoppage of the industry of the petitioner.

Learned counsel for the petitioner submits that number of identical petitions were filed before this Court against the respondents for the similar relief and this Court by a common order dated 01.04.2005 disposed of all the petitions with a direction that till the decision in reply to a notice dated 16.12.2004 issued by the respondents, the petitioner shall be allowed to continue supply of coal as per linkage conditions. Learned counsel further submits that the case of the petitioner is squarely covered with the order passed by this Court in Writ Petition Nos. 1082/2005, 1083/2005, 1084/2005, 1085/2005, 1086/2005, 1087/2005, 1088/2005, 1089/2005, 1090/2005, 1177/2005, 1178/2005, 1179/2005 1216/2005, 1217/2005, 1225/2005, 1226/2005, 1227/2005, 1228/2005 and1260/2005.

Learned counsel for the respondents 1 to 3 Shri V. Deshmukh, submits that the case of the petitioner is identical to the case of the petitioners of the connected writ petitions which have been disposed of by this Court and therefore, the instant petition may be disposed of with the

देखिये)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 1450 **सन्** 2005

..... **विरुद्ध** .....

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आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

similar direction as has been passed in the aforesaid petitions. Learned counsel for the respondents submits that if the petitioner has filed the document before the authority in that case he may be allowed to continue supply of coal as per linkage conditions.

In view of the above submission of counsel for the parties, the petition is being disposed of by this Court with a direction that the if the petitioner has filed the documents before the authority as required on 16.12.2004 which has also been filed in this Court, the petitioner shall be allowed to continue supply of coal as per linkage conditions till verification.

In view of the above, it is directed that pending decision the petitioner shall be allowed to continue supply of coal as per linkage conditions.

Accordingly, the petition stands disposed of.

Consequently, all the pending applications shall also stand disposed of.

Sd/-
Dhirendra Mishra
Judge

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(पीछे देखिये)

21.4.05
12.5.05